

"Brooks, Patrick J." <PBrooks@ssd.com> 04/28/2006 10:34 PM

To Elise.Feldman@usdoj.gov, Betsey.Streuli@deq.state.ok.us, ebessey@kdhe.state.ks.us, Catherine
Garvpie/R5/USEPA/US@EPA. JKMcManus@ag.state.oh.us

Garypie/R5/USEPA/US@EPA, JKMcManus@ag.state.oh.us, cc "Lerner, Stephen D." <SLerner@ssd.com>, "Winters, Karen" <KWinters@ssd.com>, "Kane, Scott A." <SKane@ssd.com>, "Coston, P. Casey" <CCoston@ssd.com>, "DeMonte,

bcc



Ladies and Gentlemen:

Attached please find a rough draft of the Custodial Trust Agreement (Agreement). The Agreement is simultaneously being circulated to representatives of the Agencies, Committee and Company to expedite review and comment. The Agreement remains subject to continued review, refinement and ultimate approval of the Company. Please provide any comments you wish the Debtors to consider by 1 EDT on Monday May 1, 2005.

The Debtors will be making appropriate technical conforming changes to the Plan to conform to the single Trust structure once the Agreement is finalized.

If you have any questions, please feel free to contact me.

Patrick J. Brooks
Squire, Sanders & Dempsey L.L.P.
4900 Key Tower
127 Public Square
Cleveland, Ohio 44114
(216) 479-8370
(216) 479-8776 (Fax)
pbrocks@ssd.com
www.ssd.com

This e-mail is confidential and is intended only for the named recipient(s) and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender and delete this e-mail message from your computer. Thank you.